

Serial No.: 09/986,641

REMARKS

Claims 1-22, as amended, remain herein.

Editorial changes have been made in claims 1-22.

Claim 8 has been amended to recite the adapter device of claim 1 in combination with a higher level equipment. Claim 19 has been reworded in independent form, and amended to recite the structure recited in claim 1.

1. Objections were stated to the drawings. Submitted herewith are replacement Figures 1-4 revised to include labels. Withdrawal of the objection to the drawings is respectfully requested.

2. Claims 1, 6 and 7 were rejected under 35 U.S.C. §102(b) over Lebeau U.S. Patent 5,870,626.

The presently claimed programmable adapter device includes a processing unit, a first memory for storing a conversion program for converting between a higher level protocol and a lower level protocol, after being downloaded from a higher level equipment, and a second memory storing a resident driver program for effecting such download by initializing communication with the higher level equipment

Serial No.: 09/986,641

using the higher level communication protocol. This arrangement and corresponding method are nowhere disclosed or suggested in the cited reference.

The Office Action cites Lebeau '626 as allegedly disclosing an adapter device for communicating between a higher and lower levels of communication protocols, having a first memory for storing a conversion program for converting between the protocols after being downloaded from the higher level equipment, and a second memory storing a resident driver program also executed by the processing unit for effecting such download. But, Lebeau '626 does not disclose a resident driver program to initialize communication with the higher level equipment using the higher level communication protocol. Lebeau '626 discloses a different way of initializing such communication. Lebeau '626, column 2, lines 20-23, discloses:

apparatuses 1, 2, 3 and 4 linked to interface 20 by cables 5, 6, 7 and 8, each including an identification key K5, K6, K7 and K8, and depending on this recognition, uses the specific communication protocols and hardware in order to make possible the transfer of information between the apparatuses 1, 2, 3 and 4 and the interface 20.

Lebeau '626, column 2, lines 53-55, describes "a library of programs for converting protocols associated with the keys read on the link cables," and column 3, lines 1-7, describes

Serial No.: 09/986,641

reading the key of the link cable for recognizing when that specific link cable is plugged into the interface, and making a request for a protocol conversion program matching the information read from the key.

Thus, Lebeau '626, column 3, lines 1-7, discloses initializing communication by first identifying a specific identification key associated with a specific type of cable, and then requesting download of a corresponding conversion program. Lebeau '626 cannot select and download a specific conversion program without first recognizing a specific key identifying the cable and requesting a conversion program matching such key and cable. Lebeau '626 does not disclose "initializing communication" by using a higher level protocol to communicate between a resident driver program stored in a second memory of the adapter device and a higher level equipment. Lebeay '626 does not disclose a resident driver program that (1) initializes communication with the higher level equipment by using a higher level protocol between the adapter and the higher level equipment, and then (2) requests download of a conversion program for converting between a higher level protocol and a lower level protocol, as recited in applicants' claim 1.

Serial No.: 09/986,641

For the foregoing reasons, Lebeay '626 fails to disclose all elements of applicants' claimed invention, and therefore is not a proper basis for rejection under §102. And, there is no disclosure or teaching in Lebeay '626 that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Claims 6 and 7, which depend from claim 1, are allowable for the same reasons explained herein for claim 1. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

3. Claims 2-5 and 8-22 were rejected under 35 U.S.C. §103(a) over Lebeau '626.

Claims 2-5 and 8-22, which depend from claim 1, are allowable for the same reasons explained herein for claim 1.

For the foregoing reasons, Lebeau '626 does not contain any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary skill in the art to applicants' claimed invention. Nor is there any disclosure or teaching in Lebeau '626 that would have suggested the desirability of modifying any portions thereof to anticipate or suggest applicants' presently claimed invention. Accordingly,

Serial No.: 09/986,641

reconsideration and withdrawal of this rejection are respectfully requested.

All claims 1-22 are now proper in form and patentably distinguished over all grounds of rejection stated in the Office Action. Accordingly, allowance of all claims 1-22 is respectfully requested.

Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representatives.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

October 6, 2004
Date



Roger W. Parkhurst
Registration No. 25,177
Robert N. Wieland
Registration No. 40,225

RWP:RNW/mhs

Attachments: 3 annotated sheets showing markings (Figs. 1-4)
3 replacement sheets (Figs. 1-4)

Attorney Docket No.: SCHN:010

PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220

PLEASE ACCEPT THIS AS
AUTHORIZATION TO DEBIT
OR CREDIT FEES TO
DEP. ACCT. 16-0331
PARKHURST & WENDEL

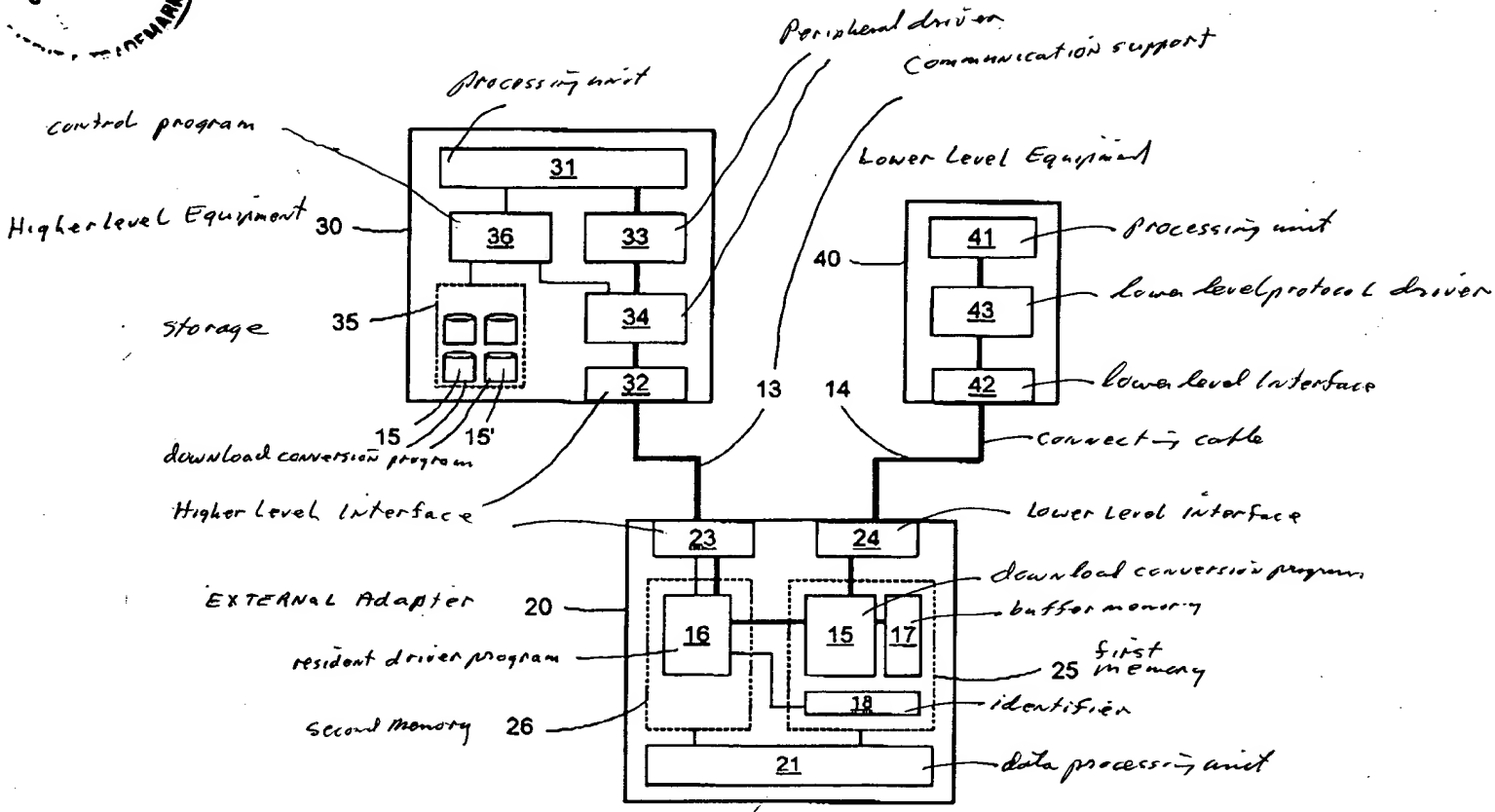


FIG. 1

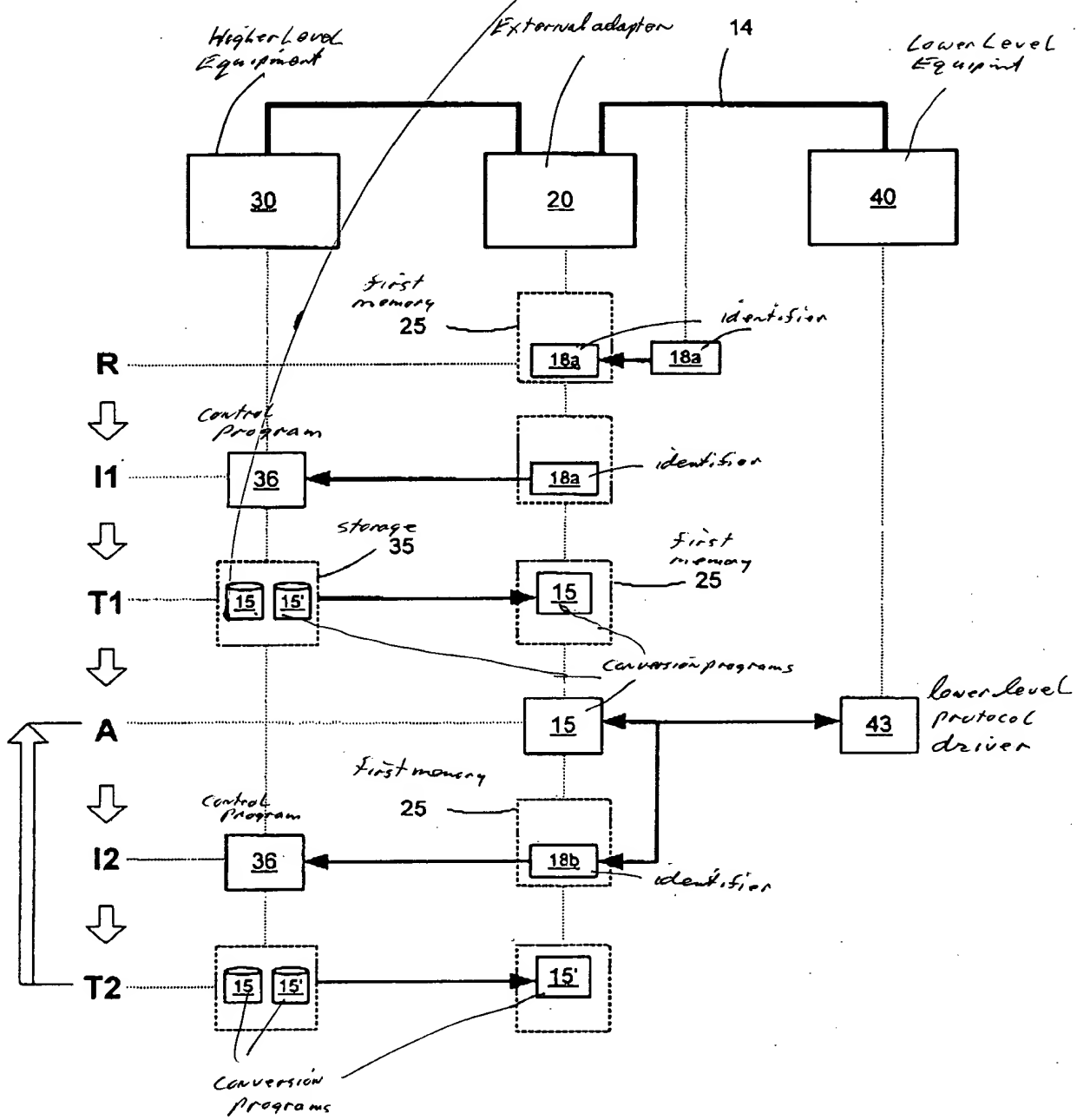


FIG. 2

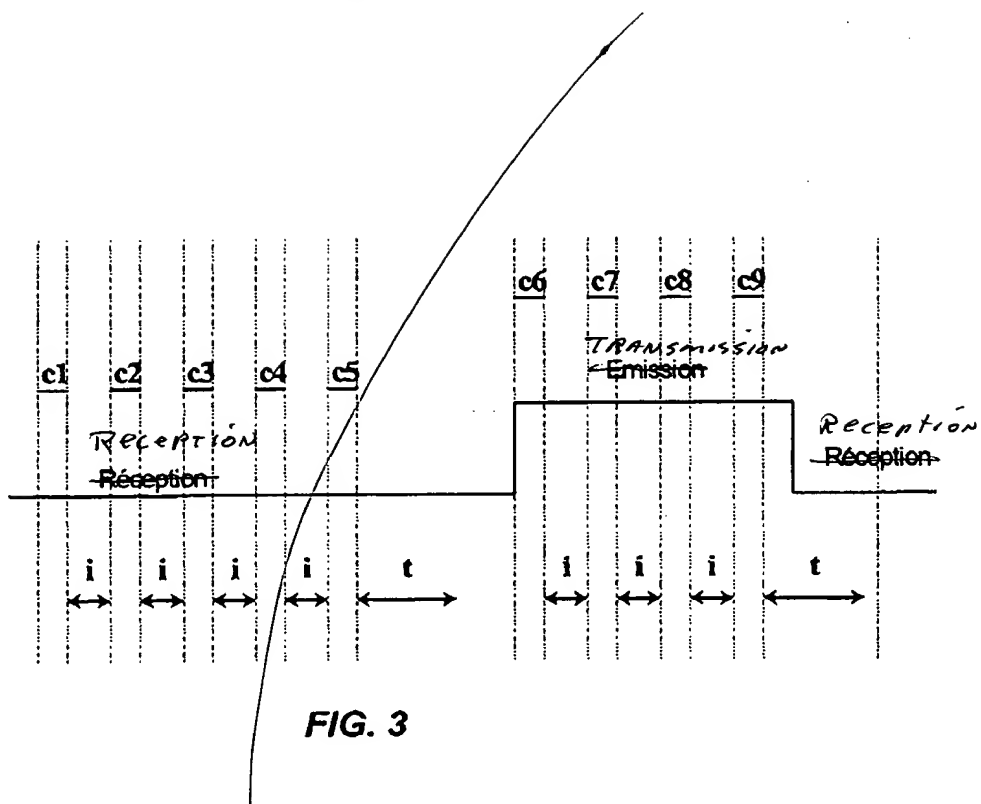
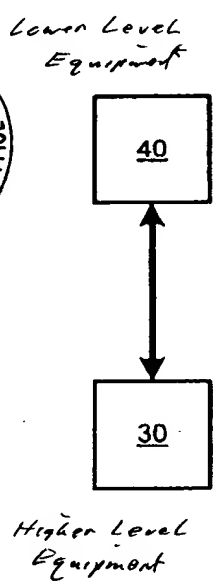


FIG. 4

